

IN RE: PETITION FOR ZONING VARIANCE
NE/S West Woodwell Road, 68'
NW of the c/l of Pinewood Road
(2804 West Woodwell Road)
12th Election District
7th Councilmanic District
Glen E. Loudermilk, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-247-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an open projection (carport) with a side setback of 0 feet in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of January, 1989 that the Petition for Zoning Variance to permit an open projection (carport) with a side setback of 0 feet

in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The variance granted herein is limited to the proposed open projection (carport). Three sides of the carport shall remain open and not be enclosed.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

District: 12th Date of Posting: 12/3/88
Posted for: Variance
Petitioner: Glen E. Loudermilk, et ux
Location of property: NE/S W. Woodwell Rd., 68' NW of Pinewood Rd.
2804 W. Woodwell Rd.
Location of Sign: Facing W. Woodwell Rd., near E. Woodwell Rd.
on property of Petitioner
Remarks:
Posted by: M. J. Stanley Date of return: 12/9/88
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 23, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 24, 1988

THE JEFFERSONIAN,

S. Zabe O'Brien
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on the following date:
Petitioner(s):
Hearing Date: Wednesday, Dec. 21, 1988 at 2:00 p.m.
Case Number: 89-247-A
NE/S West Woodwell Road, 68' NW of Pinewood Road (2804 W. Woodwell Road)
12th Election District - 7th Councilmanic District
Petitioner(s): Glen E. Loudermilk, et ux
Variance: to allow an open projection (carport) attached to the main building to have a side setback of 0 ft. in lieu of the required 10 ft.
IF PHASE II OF THE SNOU EMERGENCY PLAN IS IN EFFECT ON THIS DATE, CASE MAY BE RESCHEDULED. CALL 887-3391 TO CONFIRM DATE.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing, and shown or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
11567 Nov. 24, 1988

PO 05891
reg M20475
case 89-247-A
price \$41.25

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353 887-3353

J. Robert Haines
Zoning Commissioner

January 5, 1989

Mr. & Mrs. Glen E. Loudermilk
2804 West Woodwell Road
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
NE/S West Woodwell Road, 68' NW of the c/l of Pinewood Road
(2804 West Woodwell Road)
12th Election District - 7th Councilmanic District
Glen E. Loudermilk, et ux - Petitioners
Case No. 89-247-A

Dear Mr. & Mrs. Loudermilk:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 12-9-88

Mr. & Mrs. Glen E. Loudermilk
2804 W. Woodwell Road
Dundalk, Maryland 21222

Re: Petition for Zoning Variance
CASE NUMBER: 89-247-A
NE/S West Woodwell Road, 68' NW c/l Pinewood Road
(2804 W. Woodwell Road)
12th Election District - 7th Councilmanic District
Petitioner(s): Glen E. Loudermilk, et ux
Hearing Scheduled: December 21, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Loudermilk:

Please be advised that \$106.25 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 12/9/88 ACCOUNT: 181-1115

AMOUNT: \$ 106.25

RECEIVED FROM: Glen E. Loudermilk

FOR: 12th Election District - 7th Councilmanic District

B 8110 *****1062518 2018

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3 C.1. 301.1 TO ALLOW AN OPEN PROJECTION (carport) to the main building to have a side setback of 0 ft. in lieu of the required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Address

City and State

County, on the 21st day of Dec, 1988 at 2 o'clock

P.M.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-247-A
NE/S West Woodwell Road, 68' NW c/l Pinewood Road
(2804 W. Woodwell Road)
12th Election District - 7th Councilmanic District
Petitioner(s): Glen E. Loudermilk, et ux
HEARING SCHEDULED: WEDNESDAY, DECEMBER 21, 1988 at 2:00 p.m.

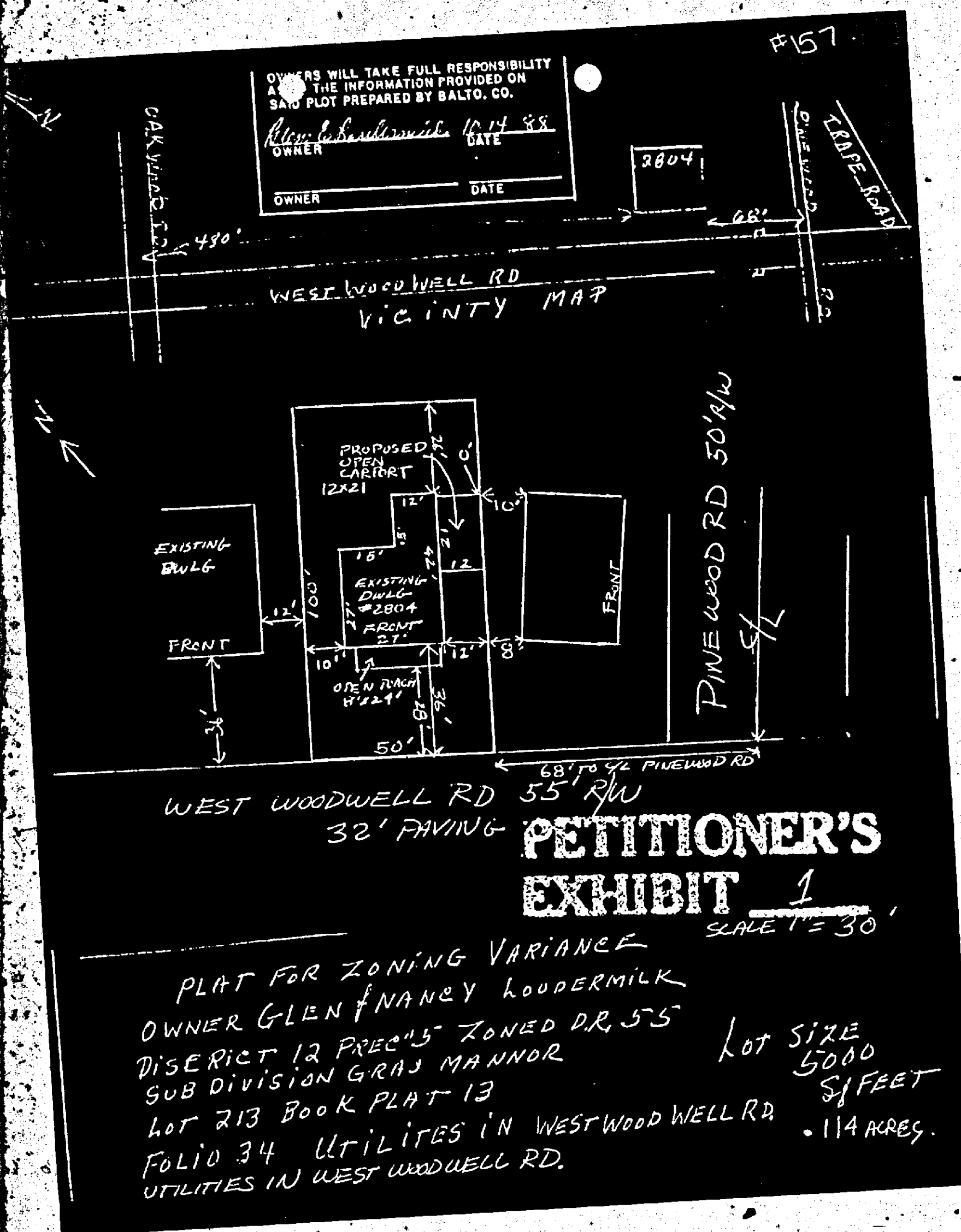
Variance to allow an open projection (carport) attached to the main building to have a side setback of 0 ft. in lieu of the required 10 ft.

*IF PHASE II OF SNOU EMERGENCY PLAN IS IN EFFECT ON THIS DATE, CASE WILL BE RESCHEDULED. CALL 887-3391 TO CONFIRM DATE.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County



89-247-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 24th day of October, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Glen E. Loudermilk, et ux
Petitioner's Attorney: _____

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204 2536
494-4500

Paul H. Reincke
Chief

December 2, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Glen E. Loudermilk, et ux

Location: NE/S W. Woodwell Rd., 68' NW from c/l of Pinewood Rd.

Item No.: 157 Zoning Agenda: Meeting of 10/25/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] 12/2/88 NOTED & APPROVED: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 14, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Glen E. Loudermilk
2804 W. Woodwell Road
Dundalk, Maryland 21222

RE: Item No. 157, Case No. 89-247-A
Petitioner: Glen E. Loudermilk, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Loudermilk:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:drt

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner

TO: _____ Date: December 13, 1988

Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

Glen E. Loudermilk
SUBJECT: Zoning Petition No. 89-247-A

The Office of Planning has no comment on the above petition.

PK/sf

cc: Glen Loudermilk et ux
12/14/88

RECEIVED
DEC 14 1988
ZONING OFFICE

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 403
Towson, Maryland 21204
494-3554

October 28, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 440, 58, 102, 128, 144, 145, 147, 150, 151, 153, 154, 155, 156, and 157.

Very truly yours,
Michael S. Flanagan
Engineering Associate

MSF/lvw

RECEIVED
NOV 9 1988
ZONING OFFICE